

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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MS “PUCON” Schiffahrtsgesellschaft mbH & Co. KG

Plaintiff,

-against-

Case No.: 4:22-cv-01227

Global American Transport LLC

Defendant.

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**MOTION TO DISMISS GLOBAL AMERICAN TRANSPORT LLC’S CLAIM FOR
SUPPLEMENTAL RULE E COUNTERSECURITY**

NOW COMES Plaintiff/Respondent MS “PUCON” Schiffahrtsgesellschaft mbH & Co. KG (“MS PUCON”), by and through its attorneys, Sandberg Phoenix & Von Gontard P.C. and Zeiler Floyd Zadkovich (US) LLP, and pursuant to Fed. R. Civ. P. Rule 12(b)(6) and Local Rule 4.01(a), moves this Court to dismiss Defendant/Counter-Claimant, Global American Transport LLC’s (“GAT”) claim for Supplemental Rule E Countersecurity contained in its Original Counterclaim (Dkt. No. 39).

A memorandum in support of this Motion is attached hereto and incorporated herein by reference. For the reasons set forth in its memorandum, MS PUCON respectfully requests a dismissal of GAT’s claim for countersecurity pursuant to Supplemental Rule E.

WHEREFORE, Plaintiff/Respondent MS “PUCON” Schiffahrtsgesellschaft mbH & Co. KG. moves this Court to dismiss Defendant/Counter-Claimant, Global American Transport LLC’s (“GAT”) claim for Supplemental Rule E Countersecurity contained in its Original Counterclaim, with prejudice and without delay, and with costs to be paid by Global American Transport LLC.

Dated: April 14, 2023

SANDBERG PHOENIX & von GONTARD P.C.

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(Pro hac vice filing forth coming)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been filed electronically on the 14th day of April 2023.

/Steven T. Walsh

Steven T. Walsh